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Attorneys for Plaintiffs and Putative Class

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

LD, DB, BW, RH AND CJ on behalf of
themselves and all others similarly
situated,

Plaintiffs,

vs.

UNITEDHEALTHCARE INSURANCE
COMPANY, a Connecticut Corporation,
UNITED BEHAVIORAL HEALTH, a
California Corporation, and
MULTIPLAN, INC., a New York
Corporation

Defendants.

Case No.: 4:20-cv-02254-YGR

**DECLARATION OF AARON MODIANO
IN SUPPORT OF PLAINTIFFS' REPLY
TO DEFENDANTS' OPPOSITION TO
CLASS CERTIFICATION**

1 I, Aaron Modiano, an attorney, declare under penalty of perjury, that the following is true and
2 correct, based on my personal knowledge:

3 1. I am an attorney at law duly admitted to practice *pro hac vice* in this Court. I am of
4 counsel at Arnall Golden Gregory LLP, one counsel of record for Plaintiffs in the instant action.

5 2. Attached hereto and marked as Exhibit 1 is a true and correct copy of the Supplemental
6 Expert Report of Mark A. Hall;

7 3. Attached hereto and marked as Exhibit 2 is a true and correct copy of the Declaration of
8 Thomas P. Ralston;

9 4. Attached hereto and marked as Exhibit 3 a true and correct copy of is the Deposition
10 Transcript of Rebecca Paradise (volumes 1 &2);

11 5. Attached hereto and marked as Exhibit 4 is a true and correct copy of the Deposition
12 Transcript of Sara Peterson;

13 6. Attached hereto and marked as Exhibit 5 is a true and correct copy of the Deposition
14 Transcript of Radames Lopez;

15 7. Attached hereto and marked as Exhibit 6 is a true and correct copy of the Deposition
16 Transcript of Jolene Bradley;

17 8. Attached hereto and marked as Exhibit 7 is a true and correct copy of the Deposition
18 Transcript of Professor Daniel Kessler;

19 9. Attached hereto and marked as Exhibit 8 is a true and correct copy of a declaration of
20 Abe Hamideh;

21 10. Attached hereto and marked as Exhibit 9 is a true and correct copy of a declaration of
22 Amber Knight;

23 11. Attached hereto and marked as Exhibit 10 is a true and correct copy of a compendium of
24 balance bills produced to Defendants in response to subpoenas issued by United Defendants;

25 12. Attached hereto and marked as Exhibit 11 is a true and correct copy of the Deposition
26 Transcript of Sean Crandell;

1 13. Attached hereto and marked as Exhibit 12 is a true and correct copy of the Apple Full-
2 Time Employees Benefits Book effective January 2019 (UHC000006772);

3 14. Attached hereto and marked as Exhibit 13 is a true and correct copy of the Apple Full-
4 Time Employees Benefits Book effective January 2018 (UHC000006359);

5 15. Attached hereto and marked as Exhibit 14 is a true and correct copy of the Summary
6 Plan Description for Tesla, Inc.'s PPO Base Plan effective January 1, 2019 (UHC000281020);

7 16. Attached hereto and marked as Exhibit 15 is a true and correct copy of the Summary
8 Plan Description for General Dynamics' UHC Premium & Premium Plus HSA Plan effective January
9 1, 2020 (UHC000305831);

10 17. Attached hereto and marked as Exhibit 16 is a true and correct copy of the Summary
11 Plan Description for General Dynamics' UHC Premium & Premium Plus HSA Plan effective January
12 1, 2021 (UHC000233128);

13 18. Attached hereto and marked as Exhibit 17 is a true and correct copy of the Summary
14 Plan Description for General Dynamics' High Deductible Account Based Plan UHC Hourly Plan
15 effective January 1, 2021 (UHC000232778);

16 19. Attached hereto and marked as Exhibit 18 is a true and correct copy of the Summary
17 Plan Description for GEICO Corporation's Choice Plus/In & Out-of-Network Plan effective January 1,
18 2018 (UHC000308506);

19 20. Attached hereto and marked as Exhibit 19 is a true and correct copy of the Summary
20 Plan Description for Nokia's Standard and Enhanced Medical Plans effective January 1, 2021
21 (UHC000307990);

22 21. Attached hereto and marked as Exhibit 20 is a true and correct copy of the Summary
23 Plan Description for Cisco Systems, Inc.'s Welfare Benefits Plan effective January 2020
24 (UHC000210339);

25 22. Attached hereto and marked as Exhibit 21 is a true and correct copy of the Summary
26 Plan Description for Rite Aid Corporation's Master Welfare Benefit Plan effective September 1, 2019
27 (UHC000301506);
28

23. Attached hereto and marked as Exhibit 22 is a true and correct copy of the Raytheon Company's Benefits Handbook effective January 2019 (UHC000260233);

24. Attached hereto and marked as Exhibit 23 is a true and correct copy of Nestle USA, Inc.'s Benefit Booklet effective January 1, 2017 (UHC000248911);

25. Attached hereto and marked as Exhibit 24 is a true and correct copy of the Schedule of Benefits for National Education Association (NEA)'s Choice EPO Employee Plan effective July 1, 2021 (UHC000308643);

26. Attached hereto and marked as Exhibit 25 is a true and correct copy of US Bank's 2020 Medical and Wellness Summary Plan Description (UHC000302022);

27. Attached hereto and marked as Exhibit 26 is a true and correct copy of Wells Fargo's Benefits Book effective January 1, 2018 (UHC000301604);

28. Attached hereto and marked as Exhibit 27 is a true and correct copy of the Apple Full-Time Employees Benefits Book effective January 2016 (UHC000308165);

29. Attached hereto and marked as Exhibit 28 is a true and correct copy of the Summary Plan Description for GEICO Corporation's Choice Plus/In & Out-of-Network effective January 1, 2021 (UHC000302127);

30. Attached hereto and marked as Exhibit 29 is a true and correct copy of the Benefits Summary for Fidelity Investments' Healthflex Plan and Healthflex Premium Tier Plan effective January 1, 2018 (UHC000308800);

31. Attached hereto and marked as Exhibit 30 is a true and correct copy of Apple, Inc.'s Administrative Services Agreement (UHC000007610); The 8th amendment of the Administrative Services Agreement (UHC000007686); The 9th Amendment of the Administrative Services Agreement UHC000007730; The 10th amendment of the Administrative Services Agreement UHC000007733; The 11th Amendment of the Administrative Services Agreement UHC000007780; The 12th Amendment of the Administrative Services Agreement (UHC000007807); and 13th amendment of the Administrative Services Agreement (UHC000007873);

32. Attached hereto and marked as Exhibit 31 is a true and correct copy of Tesla, Inc.'s Administrative Services Agreement (UHC0008308);

33. Attached hereto and marked as Exhibit 32 is a true and correct copy of the General Dynamic's Administrative Service Agreement (UHC000228096) and amendment (UHC000227920).

34. Attached hereto and marked as Exhibit 33 is a true and correct copy of Cisco System's Administrative Services Agreement (UHC000209094) and its amendment (UHC000209209);

35. Attached hereto and marked as Exhibit 34 is a true and correct copy of Raytheon's Administrative Services Agreement (UHC000258819);

36. Attached hereto and marked as Exhibit 35 is a true and correct copy of Nestle USA's Administrative Services Agreement (NUSA UBH 000001);

37. Attached hereto and marked as Exhibit 36 is a true and correct copy of McMaster-Carr Supply Company's Administrative Services Agreement (UHC000032965);

38. Attached hereto and marked as Exhibit 37 is a compendium of documents produced by Defendants wherein Thomas Ralston appears;

39. Attached hereto and marked as Exhibit 38 is a true and correct copy of the Deposition Transcript of Plaintiff, D.B.;

40. Attached hereto and marked as Exhibit 39 is a true and correct copy of a document produced by United (UHC000018534);

41. Attached hereto and marked as Exhibit 40 is a true and correct copy of an email document produced by United (UHC000048508);

42. Attached hereto and marked as Exhibit 41 is a true and correct copy of an email document produced by United (UHC000106755)

43. Attached hereto and marked as Exhibit 42 is a true and correct copy of the Deposition Transcript of Denise Strait;

44. Attached hereto and marked as Exhibit 43 is a true and correct copy of a the Deposition Transcript of Mark Edwards.

1 I declare under the penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct, and I signed this declaration on November 23, 2022, in Washington, D.C.

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4 /s/ Aaron R. Modiano

5 Aaron R. Modiano
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